

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

**WILMINGTON SAVINGS FUND
SOCIETY, FSB, AS TRUSTEE OF
STANWICH MORTGAGE LOAN
TRUST F,**

Plaintiff,

v.

PATRICK MARTIN

Defendant.

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Civil Action No. 9:22-cv-201

PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL

Plaintiff Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust F (“Wilmington” or “Plaintiff”) files this *Notice of Voluntary Dismissal* (“Notice”) pursuant to Rule 41 of the Federal Rules of Civil Procedure, and shows the Court as follows:

1. On December 27, 2022, Wilmington filed its *Original Complaint* (“Complaint”) against Defendant Patrick Martin (“Defendant”) to obtain an order authorizing foreclosure of Plaintiff’s security interest on the real property located at 3685 N. FM 225 Douglass, Texas 75943. [ECF No. 1].

2. Plaintiff no longer wishes to pursue this claim for judicial foreclosure against Defendant. Accordingly, it files this Notice, pursuant to Rule 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure. Plaintiff files this Notice before Defendant filed an answer or motion for summary judgment. As such, Plaintiff voluntarily dismisses the claims it has asserted herein against Defendant without prejudice to the re-filing of the same.

3. Plaintiff’s claims are the only claims pending in this case, so dismissal will dispose of all parties and all claims, and Defendant will not be prejudiced.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests the Plaintiff's claims against Defendant be dismissed without prejudice, that no prejudice attach to such dismissal, and that Plaintiff be awarded all other relief to which Plaintiff may be entitled.

Respectfully submitted,

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